

### **REMARKS**

Applicants first wish to thank Examiner Sherr for the courtesies extended during the in-person interview conducted June 25, 2008. In that interview, Applicant's technical representative, Andrew Coathup and Applicant's attorney, Jeffrey Leaning, discussed with Examiner Sherr possible claim amendments. No formal agreement was reached.

The Office Action mailed February 1, 2008 ("Office Action") rejects claims 26-31 and 50-76 under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,809,145 to Slik *et al.* in view of U.S. Patent No. 5,490,216 to Richardson and further in view of published international application number WO 98/16033.

The invention, as claimed, concerns a system and method for the manufacture of digital information products comprising physical media on demand at a local site, such as a retail outlet, and this entails providing at the designated site a local mass data storage device for the digital information for a plurality of different products, a local media generator for producing a selected digital information product by storing the relevant digital information on a blank physical media, and a packaging generator for supplying packaging for the selected digital information product for supply to the customer. A description of an exemplary embodiment from the perspective of a customer is included in the attached Appendix. The invention as claimed allows the entire process of selecting and producing a single item of physical media representing an individual digital information product to take place locally at the designated site, which in practice may be a point of sale unit in a retail store, by way of example.

The process according to the invention as claimed is thus a very different process from the conventional distribution arrangement by which the full range of titles in stock in a retail store are stored as physical end products from the outset and prior to any selection, purchase, or request for purchase by the customer. It is also a very different arrangement from a system enabling an individual at their home PC to scan, select and download titles over the Internet onto their PC. The idea of manufacturing on demand at a local outlet only those titles that have actually been selected for purchase is an entirely different and novel concept.

In addition to the presentation of the attached Appendix, descriptions of certain embodiments of the present invention may be found on the assignee's website, described there under the name Softwide. The Examiner is invited to peruse these web sites, as well as the attached Appendix, for an overview of certain embodiments:

<http://www.tribeka.com/websitepages/tech.html>

<http://www.tribeka.com/websitepages/comp.html>

<http://www.tribeka.com/websitepages/benefits.html>

Applicants respectfully submit that the claims, as amended, are patentably distinguished over the prior art of record. Accordingly, Applicants respectfully request that the pending claims be allowed to issue.

**CONCLUSION**

In view of the above, Applicants respectfully request that the rejection of the claims specifically argued, as well as all claims dependent thereon, be withdrawn. Applicant respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

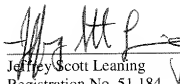
Applicants submit the present response together with a request for continued examination, a petition for a two-month extension of time, and the associated fees. In the event that the U.S. Patent and Trademark Office requires an additional fee to enter this Reply or to maintain the present application pending, please charge such fee to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: July 1, 2008

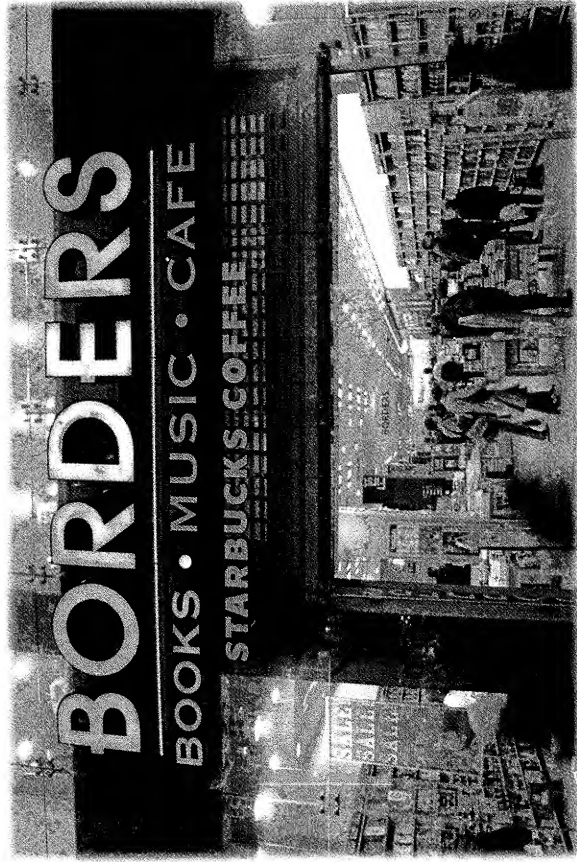
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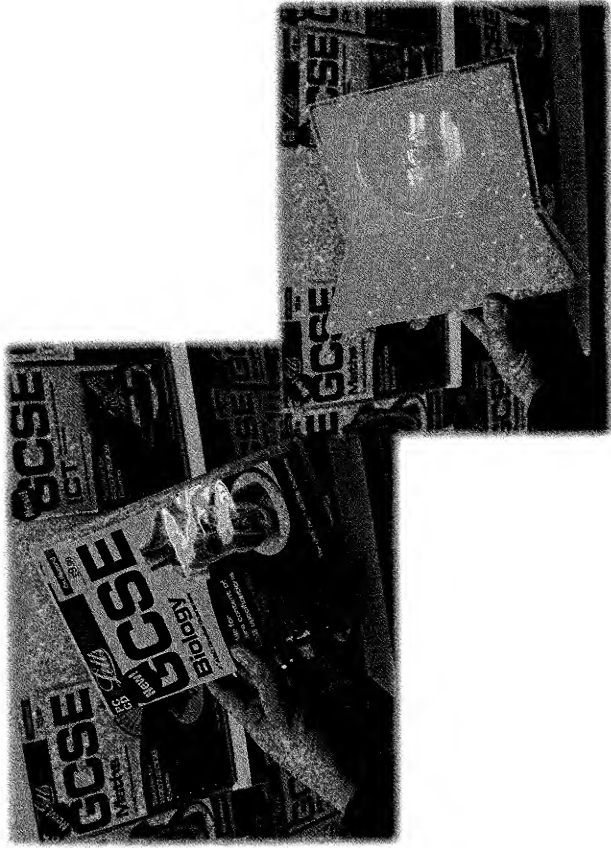
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## Appendix



Borders flagship store, Oxford Street, London



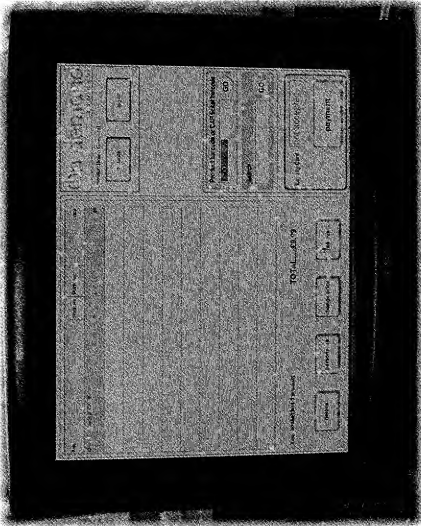


Display Boxes created by manufacturing in store the Cover only



Retail staff scan barcode of display box

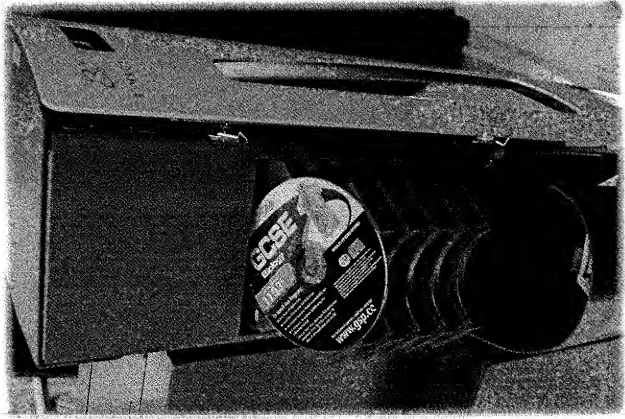
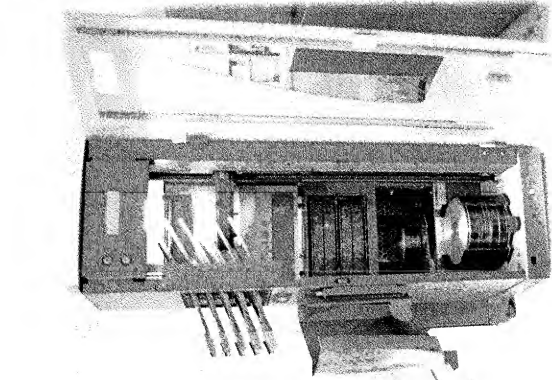




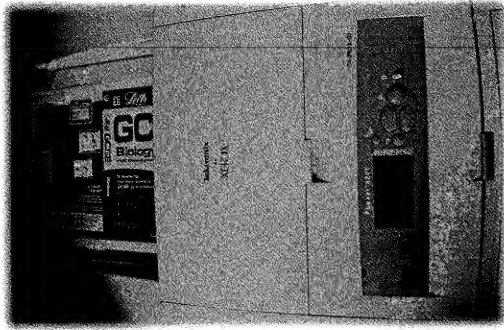
Product is placed in Order Basket and Payment is processed



Order triggers manufacturing of unique product for Customer



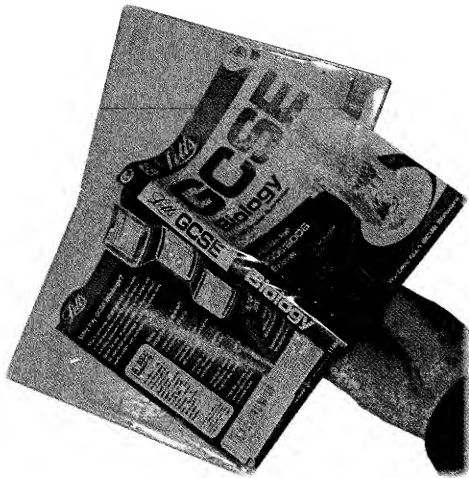
Manufactured unique Disc (through printing and embedding release code)



Manufacture unique Cover  
(through printing release code)



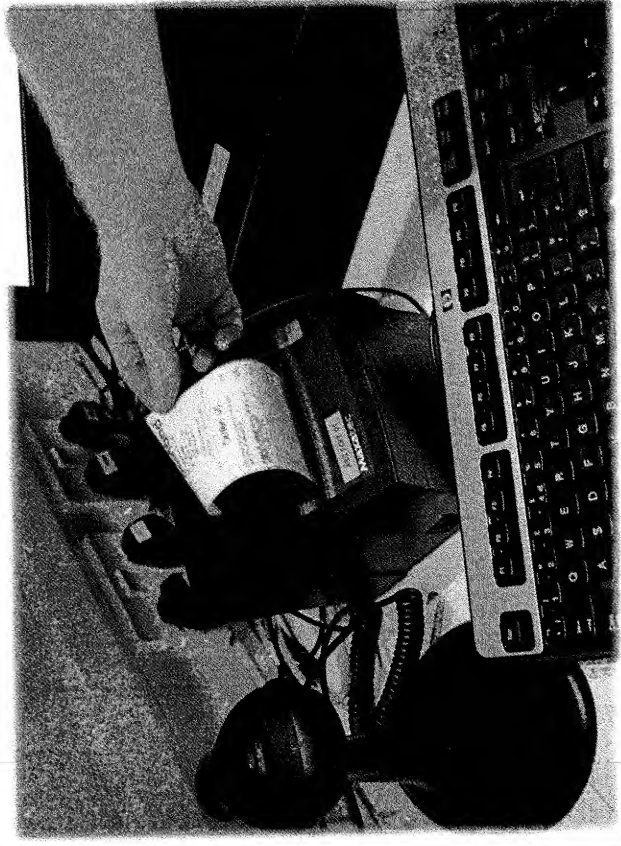
Assemble unique Product is assembled from components  
(Disc, Cover and Manual are matched using release code)



Cover is placed in Case

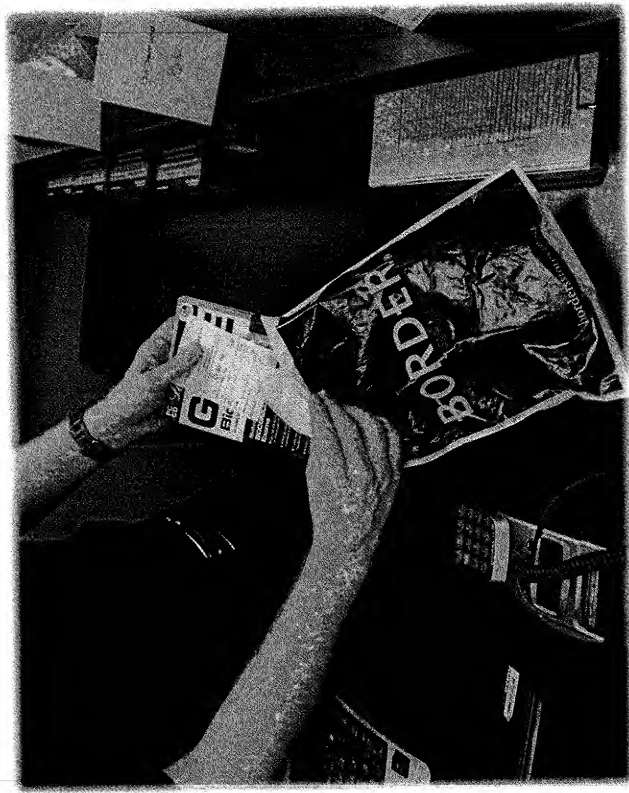


Unique Product is sealed



Order completes to generate Customer receipt

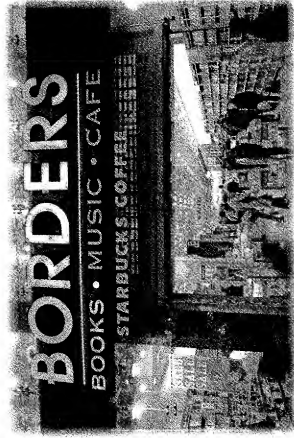
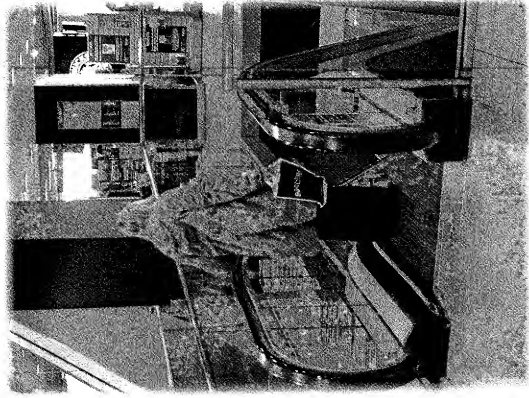




Store staff places Completed Product, with Receipt in bag



Customer receives Product



Unique product manufactured in four minutes of less